

Washington State Patrol Media Release

Chief John R. Batiste



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*****For Immediate Release*****

Date: June 25, 2008
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ENFORCEMENT OF "HANDS FREE" LAW BEGINS JULY 1 -Drivers using cell phones must have headset or speaker phone-

(Olympia) – Starting July 1, the Washington State Patrol will begin enforcing a new law requiring drivers talking on cell phones to use a headset or speaker-phone. WSP Chief John R. Batiste said if you hold a cell phone up to your ear while driving you could pay a \$124 fine.

"When you're driving you need to be driving," Batiste said. "We'd prefer that drivers didn't talk on their cell phones at all. But if you must, please stay safe by using a headset or speaker-phone."

The law applies only to drivers, not passengers. There is also an exemption for drivers calling 9-1-1 to report a highway emergency. CB radios or other communications devices that are not held up to the ear are also exempt.

"The key is whether the device is held up to the ear," Batiste said. "That's what our troopers will be watching for."

Failure to use a headset or speaker-phone is considered a secondary violation, which means troopers can not stop a motorist for that alone. But troopers will not hesitate to cite if they first see some other violation such as weaving across lanes.

The hands-free requirement was passed in the 2007 legislative session with State Sen. Tracey J. Eide, D-Federal Way, as the prime sponsor.

"If you are wondering why we need this law, all you need to do is look around," Eide said. "We've all seen drivers put others at serious risk while deeply engaged in a cell phone conversation."

Statistics on cell phone involvement in collisions are difficult to gather. They require a driver who's been in a collision to admit they were on the phone, something WSP considers unlikely. In 2006, nearly 210,000 drivers were involved in collisions. Only about 1300 admitted talking on a phone at the time.

"We know there is gross under-reporting of cell phones as contributing factors in collisions," Eide said. "We had to take action based on what we were seeing with our own eyes."

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Although troopers always have discretion on whether to issue warnings or citations, there is no official grace period planned by WSP. The requirements have been well-publicized, and are easy to meet.

"Headsets and speaker-phones are simple to set up on today's cell phones," said Kelley Kurtzman, president of Verizon Wireless. "First time? Your owners guide, online tutorials and your wireless carrier can show you how."

"For a blue tooth wireless headset, once you pair the device and phone, press one button to connect or disconnect," Kurtzman said. "Connect before you start your car, then you can tap to talk and tap to end."

Although troopers will be looking for cell phone violators, their highest enforcement priority will remain those primary violations proven to cause fatalities: Speeding, impaired driving, failure to wear seat belts and aggressive driving.

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